

# HOUSE BILL 1508

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By: **Delegate Rudolph**

Introduced and read first time: March 4, 2010

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, March 15, 2010

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Environment – Coal Combustion By-Products – Disposal and Noncoal Mine**  
3 **Reclamation Sites**

4 FOR the purpose of prohibiting the Department of the Environment from issuing a  
5 certain permit to install a certain refuse disposal system that would accept  
6 certain coal combustion by-products for disposal or for new noncoal mine  
7 reclamation using certain coal combustion by-products if the refuse disposal  
8 system or noncoal mine reclamation would be located in ~~or adjacent to~~ a certain  
9 critical area; altering the application of a certain definition; and generally  
10 relating to the disposal of coal combustion by-products.

11 BY repealing and reenacting, with amendments,  
12 Article – Environment  
13 Section 9-289(a)  
14 Annotated Code of Maryland  
15 (2007 Replacement Volume and 2009 Supplement)

16 BY adding to  
17 Article – Environment  
18 Section 9-290  
19 Annotated Code of Maryland  
20 (2007 Replacement Volume and 2009 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Environment**

4 9–289.

5 (a) (1) In this [section] PART, “coal combustion by–product” means the  
6 residue generated by or resulting from the burning of coal.

7 (2) “Coal combustion by–product” includes:

8 (i) Fly ash;

9 (ii) Bottom ash;

10 (iii) Boiler slag;

11 (iv) Pozzolan, as defined in § 15–407 of this article; and

12 (v) Solid residuals removed by air pollution control devices from  
13 the flue gas and combustion chambers of coal–burning furnaces and boilers.

14 **9–290.**

15 **THE DEPARTMENT MAY NOT ISSUE A PERMIT UNDER THIS TITLE TO**  
16 **INSTALL A NEW REFUSE DISPOSAL SYSTEM THAT WOULD ACCEPT COAL**  
17 **COMBUSTION BY–PRODUCTS FOR DISPOSAL OR FOR NEW NONCOAL MINE**  
18 **RECLAMATION USING COAL COMBUSTION BY–PRODUCTS IF THE REFUSE**  
19 **DISPOSAL SYSTEM OR NONCOAL MINE RECLAMATION WOULD BE LOCATED IN ~~OR~~**  
20 **~~ADJACENT TO~~ A CRITICAL AREA, AS DEFINED UNDER § 8–1802 OF THE NATURAL**  
21 **RESOURCES ARTICLE.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2010.